



Washington, D.C. 20505

4 November 2009

APPROVED FOR RELEASE <input type="checkbox"/> DATE: 06-16-2010
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Kel McClanahan, Esquire
Executive Director
National Security Counselors
1200 South Courthouse Road
Suite 124
Arlington, VA 22204

Reference: F-2010-00075

Dear Mr. McClanahan:

On 8 October 2009, the office of the Information and Privacy Coordinator received your 8 October 2009 Freedom of Information Act (FOIA) request for copies of **“all Central Intelligence Agency (‘CIA’) records, including cross-references, pertaining to regulations, policies, and guidelines governing the assertion of the State Secrets Privilege by the Director of CIA (or his designee) in ongoing federal cases, including but not limited to:**

- 1) Regulations, policies, or guidelines addressing the question of when and when not to assert this privilege;**
- 2) Regulations, policies, or guidelines addressing what information to include in declarations or affidavits submitted to the court in support of the assertion of this privilege; and**
- 3) Correspondence, emails, meeting minutes, and records of any discussions regarding these regulations, policies, or guidelines.”**

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

We are currently processing a request for the same records from another requester. Once our research and review of that request is completed, we will forward to you the same CIA-originated records, if released. As a matter of administrative discretion, and in

accordance with our regulations, the Agency has waived the fees for this request. We have a substantial backlog, which we are working diligently to reduce, so we are unable to estimate when our review will be completed. However, you will be notified once the processing of the original request is complete.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson
Information and Privacy Coordinator

